

STATEMENT IN
SUPPORT OF PROBABLE CAUSE

IN RE: **Frank ROCHA**

I, **Aaron Velasco**, declare and state as follows:

On June 14, 2018, a white Freightliner tractor pulling a white Stoughton trailer approached the inspection lane at the United States Border Patrol (USBP) immigration checkpoint located approximately 29 miles north of Laredo, Texas on Interstate 35 (IH-35). A Border Patrol Agent (BPA) conducted an immigration inspection on the driver of the tractor, later identified as Frank ROCHA (hereinafter referred to as ROCHA). The BPA asked ROCHA if he would consent to an X-ray scan of his trailer using the Vehicle and Cargo Inspection System (VACIS), to which ROCHA granted permission. The BPA directed ROCHA to the secondary inspection area so the trailer could be scanned.

Once in secondary inspection, another BPA scanned the trailer. As the tractor-trailer rolled through the VACIS scanning area, the scan revealed anomalies that appeared to be several people inside cab of the tractor. The VACIS operator referred the tractor-trailer for further inspection. A BPA asked ROCHA if he could inspect the cab area of the tractor. As ROCHA was getting out of the tractor, he freely stated to the BPA that he had seven (7) illegal aliens in the tractor. BPAs proceeded to conduct a physical inspection on the interior of the tractor and discovered multiple individuals inside the cabin area of the tractor. BPAs conducted an immigration inspection on all seven (7) individuals found inside the tractor and determined all individuals were illegally present in the United States.

BPAs took ROCHA into custody along with the seven (7) undocumented aliens (UDAs). BPAs then contacted Homeland Security Investigations (HSI) special agents (SA) for investigative assistance with the case.

ROCHA was advised of his Miranda warnings, to which he freely waived and agreed to talk to HSI SAs without a lawyer present. ROCHA stated he had knowledge that the occupants inside the tractor's sleeping area were UDAs illegally present in the United States. Additionally, ROCHA stated he was transporting the UDAs for financial gains. ROCHA stated the money found inside the tractor was payment for transporting the UDAs to San Antonio, Texas.

Material witnesses Sergio OLIVAS-Contreras stated he paid five thousand three hundred dollars (\$5300) to be smuggled into the United States and owed an additional one thousand seven hundred dollars (\$1700) once he arrived at his final destination in Fort Worth, Texas. OLIVAS stated he was smuggled across the Rio Grande River by raft. OLIVAS stated he was picked up by an unknown male driving a sedan and transported to the tractor-trailer. Once at the tractor, the driver of the sedan handed OLIVAS a roll of cash and instructed him to give the money to the driver of the tractor. OLIVAS described the driver of the tractor as a tall, older, heavy-set male. OLIVAS pointed to the cell where ROCHA was in and stated he was the driver of the tractor.

Material witnesses Joel BARRIOS-Lopez stated he made arrangement with members of a Human Smuggling Organization (HSO) to be smuggled into the United States for five thousand dollars (\$5000). BARRIOS stated he swam across the Rio Grande River. BARRIOS stated he was to be smuggled to San Antonio, Texas. BARRIOS stated when he was transported to the tractor he observed the driver standing outside the tractor. BARRIOS described the driver of the tractor as a heavy-set male wearing blue jeans and a dark shirt.

I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on the 15th day of June, 2018.



Aaron Velasco
Special Agent
Homeland Security Investigations

Having reviewed the foregoing declaration, I find probable cause that the defendant(s) named above committed an offense against the laws of the United States and may therefore be further detained pending presentment before a judicial officer.

Executed on the _____ day of _____, _____.

UNITED STATES MAGISTRATE JUDGE